

liable for harms caused by his own negligence, intentional wrongdoing, or breach of his own warranty.

This bill provides much needed protection and relief to both small business owners and consumers. By making our legal system reasonable and fair to small businesses, we will remove one of the greatest barriers to the market, the threat of crippling, excessive lawsuits, that prevent entrepreneurs from starting a small business. That means increased competition, better goods, and more jobs at a time when the health of America's economy and job market appear uncertain. And by injecting common sense into these laws, we will remove the excessive litigation costs that drive up the cost of goods and services for all Americans. The Small Business Liability Reform Act is a win for America's entrepreneurs, consumers, and workers, and it is my hope that the Senate will enact this bipartisan bill. Finally, I would ask unanimous consent that letters in support of this bill from the National Federation of Independent Business and the Small Business Legal Reform Coalition be placed in the RECORD.

SMALL BUSINESS
LEGAL REFORM COALITION,
May 10, 2001.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of the Small Business Legal Reform Coalition, we are writing to applaud your sponsorship of the Small Business Liability Reform Act of 2001 and express our strong support for its passage. We commend you for your efforts to restore common sense to our civil justice system—one that takes a particularly heavy toll on the smallest of America's businesses.

The frequency and high cost of litigation is a matter of growing concern to small businesses across the country. Today's civil justice system presents a significant disincentive to business start-ups and continued operations. If sued, business owners know they have to choose between a long and costly trial or an expensive settlement. Business owners across the nation risk losing their livelihood, their employees and their future every time they are confronted with an unnecessary lawsuit.

This legislation would make two reforms that have topped the small business community's agenda for years: cap punitive damages and abolish joint liability for non-economic damages for those with fewer than 25 employees. These reforms have been among the recommendations of the White House Conference on Small Business since the early 1980s—and the time has come to protect the smallest of small businesses from excessive damage awards and frivolous suits.

This bill would also hold non-manufacturing product sellers liable in product liability cases when their own wrongful conduct is responsible for the harm and thus reduce the exposure of innocent product sellers, lessors and renters to lawsuits when they are simply present in a product's chain of distribution or solely due to product ownership. Should the manufacturer be judgment-proof, the product seller would be responsible for any damage award, ensuring that deserving claimants recover fully for their injuries.

In the end, we believe that enactment of the Small Business Liability Reform Act will inject more fairness into the legal sys-

tem and reduce unnecessary litigation and legal costs. We also believe that it protects the rights of those with legitimate claims. We thank you again for your support of these common sense reforms and look forward to working with you to ensure the success of this important legislation.

American Automotive Leasing Association, American Care Rental Association, American Consulting Engineers, Council, American Insurance Association, American Machine Tool Distributors Association, Associated Builders and Contractors, Associated Equipment Distributors, Automotive Parts and Service Alliance, American Rental Association, Coalition for Uniform Product Liability Law, Citizens for Civil Justice Reform, Equipment Leasing Association, Independent Insurance Agents of America, International Mass Retail Association, International Housewares Association, Motorcycle Industry Council, National Association of Convenience Stores, National Association of Manufacturers, National Association of Plumbing-Heating-Cooling Contractors, National Association of Wholesaler-Distributors, National Federation of Independent Business, National Grocers Association, National Restaurant Association, National Retail Federation, National Small Business United, NPES—Association for Suppliers of Printing, Publishing & Converting Technologies, Painting and Decorating Contractors of America, Plumbing-heating-Cooling Contractors—National Association, Small Business Legislative Council, Society of Independent Gasoline Marketers of America, Specialty Equipment Market Association, Steel Service Center Institute, Trunk Renting and Leasing Association, and U.S. Chamber of Commerce.

NATIONAL FEDERATION OF
INDEPENDENT BUSINESS,
Washington DC, May 11, 2001.

Hon. MITCH MCCONNELL,
U.S. Senate,
Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of the 600,000 members of the National Federation of Independent Business (NFIB), I would like to thank you for your sponsorship of the Small Business Liability Reform Act of 2001 and express our strong support for its passage. I commend you for your efforts to restore common sense to our civil justice system—one that takes a particularly heavy toll on the smallest of America's businesses.

The frequency and high cost of litigation is a matter of growing concern to small businesses across the country. Today's civil justice system presents a significant disincentive to business start-ups and continued operations. If sued, business owners know they have to choose between a long and costly trial or an expensive settlement. Business owners across the nation risk losing their livelihood, their employees and their future every time they are confronted with an unnecessary lawsuit.

This legislation would make two reforms that have topped the small business community's agenda for years: cap punitive damages and abolish joint liability for non-economic damages for those with fewer than 25 employees. These reforms have been among the recommendations of the White House Conference on Small Business since the early 1980s—and the time has come to protect the smallest of small businesses from excessive damage awards and frivolous suits.

This bill would also hold non-manufacturing product sellers liable in product li-

ability cases when their own wrongful conduct is responsible for the harm and thus reduce the exposure of innocent product sellers, lessors and renters to lawsuits when they are simply present in a product's chain of distribution or solely due to product ownership. Should the manufacturer be judgment-proof the product seller would be responsible for any damage award, ensuring that deserving claimants recover fully for their injuries.

In the end, we believe that enactment of the Small Business Liability Reform Act will inject more fairness into the legal system and reduce unnecessary litigation and legal costs. We also believe that it protects the rights of those with legitimate claims. We thank you again for your support of these common sense reforms and look forward to working with you to ensure the success of this important legislation.

Sincerely,

DAN DANNER,
Senior Vice President,
Federal Public Policy.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Mr. President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY last month. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to detail a heinous crime that occurred November 6, 1998 in Seattle, Washington. A gay man was severely beaten with rocks and broken bottles in his neighborhood by a gang of youths shouting "faggot." The victim sustained a broken nose and swollen jaw. When he reported the incident to police two days later, the officer refused to take the report.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation, we can change hearts and minds as well.

CONFIRMATION OF LARRY D. THOMPSON

Mr. MILLER. Mr. President, I am so pleased that the Senate Judiciary Committee has voted unanimously to confirm Larry D. Thompson as Deputy Attorney General and that the full Senate also has given its unanimous approval to this excellent nominee.

I was honored to be able to present Mr. Thompson to the Senate Judiciary Committee, and I congratulate my longtime friend and fellow Georgian on his confirmation.

I cannot say it more clearly than this: President Bush could not have made a better choice in nominating Larry Thompson as Deputy Attorney General of the United States.

I have had the pleasure to know Larry Thompson for several years. He is the consummate professional: quiet